

MEMO ENDORSED

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IT IS HEREBY ORDERED THAT sentencing is adjourned to April 21, 2014 at 10:00 a.m. Defendant shall makes his submission no later than March 31, 2014 and the government shall makes its submission no later than April 7, 2014.

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March 24, 2014

Via E-Mail: sullivannysdchambers@nysd.uscourts.gov
Hon. Richard J. Sullivan
United States District Court
Southern District of New York
500 Pearl Street, Room 640
New York, NY 10007

RE
SO ORDERED
DRAFT
3/24/14
RICHARD J. SULLIVAN
U.S.D.J.

Re: Trevor Whittingham - Sentencing

Dear Judge Sullivan:

As you are aware, defendant's submissions were due on March 21, 2014. However, I have just been informed by Probation Officer Wanda Whitney today:

1. She entered my email address erroneously, so I never received the probation report.
2. That report was only a "draft" and her final report is due March 27, 2014.

Defendant's counsel respectfully suggests that it is critical for defendant to:

1. Review Probation Officer Wanda Whitney's "draft" before she submits her "final" report.
2. Include the "final" probation report and its findings in defendant's papers.

Defendant's counsel requests this Honorable Court allow defendant until March 31, 2014 to submit. Lastly, I am on trial April 3, 2014 and in Australia from April 10-17, and therefore request the Government papers be due April 7, 2014 and the reply by defendant be due April 20, 2014, with sentencing anytime thereafter.

I am quite sure AUSA Andrew Yang would like to review a "final" report as well before he submits. I have emailed AUSA Yang and he consents.

Thank you for your courtesies in advance.

Very truly yours,

Richard A. Portale